

BRYAN CAVE LLP
560 MISSION STREET, 25TH FLOOR
SAN FRANCISCO, CA 94105

BRYAN CAVE LLP

Daniel T. Rockey, California Bar No. 178264
Bahareh Mostajelean, California Bar No. 258903
John C. Hedger, California Bar No. 230814
560 Mission Street, 25th Floor
San Francisco, CA 94105
Telephone: (415) 675-3400
Facsimile: (415) 675-3434
Email: daniel.rockey@bryancave.com
bahareh.mostajelean@bryancave.com
hedgerj@bryancave.com

Attorneys for Defendants
JPMORGAN CHASE BANK, N.A (as acquirer of certain assets from WASHINGTON MUTUAL BANK, FA); and CALIFORNIA RECONVEYANCE CO.

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

JOSE BARRIONUEVO AND FLOR
BARRIONEUVU individuals,

Plaintiffs,

vs.

CHASE BANK, N.A. Successor In Interest to
WASHINGTON MUTUAL BANK, FA,
LASALLE BANK NATIONAL ASSOCIATION
as Trustee for WMALT SERIES 2006-AR4 Trust;
CALIFORNIA RECONVEYANCE
CORPORATION; MORTGAGE
ELECTRONIC REGISTRATION SYSTEM, aka
“MERS” and DOES 1 THROUGH 100,
INCLUSIVE

Defendants.

Case No.: 3:12-CV-0572 EMC

**SECOND JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
SCHEDULING ORDER**

Complaint Filed: 12/06/2011
First Amended Complaint Filed: 4/19/2012
Trial Date: 8/26/13

1 Plaintiffs Jose and Flor Barrionuevo (“Plaintiffs”) and defendant JPMorgan Chase Bank,
 2 N.A., for itself and as an acquirer of certain assets and liabilities of Washington Mutual from the
 3 Federal Deposit Insurance Corporation, as receiver for Washington Mutual Bank (“Defendant”),
 4 by and through their counsels of record, hereby submit this Joint Stipulation and Proposed Order
 5 regarding the scheduling order.

6 JOINT STIPULATION

7 Whereas, on November 5, 2012, the court set a trial date of August 26, 2012 and ordered a
 8 schedule concurrent with that date;

9 Whereas, on April 19, 2013, the court amended the scheduling order;

10 Whereas, the amended scheduling order requires all dispositive motions to be heard no
 11 later than June 27, 2013;

12 Whereas, such motions must consequently be filed no later than May 23, 2013;

13 Whereas, the parties had agreed that Defendant could have until May 30, 2013 to file a
 14 Rule 56 motion;

15 Whereas, Defendant was unable to depose Plaintiffs’ expert until May 21, 2013;

16 Whereas, on May 23, 2013, counsel for both parties realized a May 30, 2013 filing
 17 deadline for a June 27, 2013 hearing does not comport with the Local Rules of the Northern
 18 District of California;

19 Whereas, the parties agreed to seek guidance from the court as to the best means of resolving
 20 the mistake of counsel when submitting the prior stipulation to the court;

21 Whereas, the parties received such guidance and are agreed to the direction of the court;

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1 IT IS THEREFORE STIPULATED BETWEEN THE PARTIES that they recommend that
 2 the court's order of April 19, 2013, be amended and ~~a new order be issued~~ setting a deadline of July
 3 11, 2013 for the hearing of dispositive motions (which requires such a motion to be filed no later than
 4 June 6, 2013).

5
 6 Dated: May 23, 2013

Respectfully submitted,

7 **Michael Yesk, Attorney at Law**

8
 9 By: /s/ Michael Yesk
 10 Michael Yesk
 11 Attorney for Plaintiffs

12 Dated: May 24, 2013

Respectfully submitted,

13 **BRYAN CAVE LLP**

14
 15 By: /s/ John C. Hedger
 16 John C. Hedger
 17 Attorneys for Defendants
 18 JPMORGAN CHASE BANK, N.A., for itself and as
 19 an acquirer of certain assets and liabilities of
 20 Washington Mutual from the Federal Deposit
 21 Insurance Corporation, as receiver for Washington
 22 Mutual Bank

23 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

24 I, John C. Hedger, attest that concurrence in the filing of this document has been obtained
 25 from each of the signatories. I declare under penalty of perjury under the laws of the United States of
 26 America that the foregoing is true and correct. Executed on May 24, 2013, at San Francisco,
 27 California.

28 /s/ John C. Hedger
 John C. Hedger

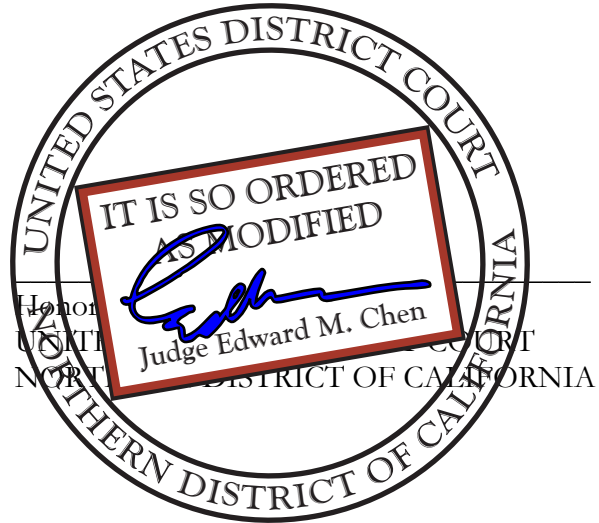
1 **[PROPOSED] ORDER REGARDING SCHEDULING ORDER**

2 Having reviewed the stipulation of the parties and the status of the pleadings, the
3 recommendations of the stipulation are adopted as an order of the court as follows:

4 1. The scheduling order of April 19, 2013 is amended to allow the hearing of dispositive
5 motions no later than July 11, 2013.

6 IT IS SO ORDERED.

7
8 5/29
9 DATED: _____, 2013



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